

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
NOVEMBER 7th, 2007 AT 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Dave Fisher (President), John Hatter, Brian Russell, Dave Bonnell, Roger Lang, Steve Ruble, Tom King, Bryan Haza, Jesse Brand, Joan Tupin-Crites and Tom Finke (County Liaison).

Members Absent: Pat Zeigler.

Staff Present: Jeff Bergman, Sondra Bohn, Laura Thayer, Thom Weintraut, Heather Pope, Emilie Pannell, Rae-Leigh Stark and Alan Whitted (Deputy City Attorney).

CONSENT AGENDA

Minutes of the October 3, 2007 meeting.

Motion: Mr. Lang made a motion to approve the minutes. Mr. Russell seconded the motion and it carried unanimously by voice vote.

OLD BUSINESS REQUIRING COMMISSION ACTION

None

NEW BUSINESS REQUIRING COMMISSION ACTION

SU-07-22: Sunset Cove at Spring Hill Lake Special Use Rezoning – a request by Spring Hill Lake Development, LLC to rezone a property of 17 acres from R-5 (Urban Residential to SU-22 (Cluster Development). The property is located at the northwest corner of Goeller Road and Tipton Lakes Boulevard in the City of Columbus.

PP-07-09: Sunset Cove at Spring Hill Lake Major Subdivision – a request by Spring Hill Lake Development, LLC to subdivide 9.35 acres into 40 lots. The property is located at the northwest corner of Goeller Road and Tipton Lakes Boulevard in the City of Columbus.

Ms. Rae-Leigh Stark presented the staff information on these requests.

Mr. Jeff Marshall, Design & Planning, George Lucas, Land Water Group, Inc. and Jeff Bush represented the petitioner.

Mr. Marshall stated that he would like to address the rezoning first regarding the key issues and the summary. He stated that staff has proposed that the new street and Boulder Court should be aligned for safety reasons at the intersection of Tipton Lakes Boulevard. He stated that the

development is similar to the developments in the surrounding areas, however it is indicated that the proposed new street will be detrimental to public safety, but staff does not define the definition public safety.

He stated that if the tree line on Tipton Lakes Boulevard is removed to accommodate the turn lane for the north bound and left hand turn at the intersection the streetscape will change dramatically. He stated they would like to preserve these amenities. Mr. Marshall stated that the access is paramount to the safe and efficient calming effort for traffic entering Sunset Cove.

Mr. Marshall stated that maintenance for common areas is combined in the areas of the language of the covenants that govern Tipton Lakes.

Mr. Marshall stated that there were other areas in Tipton Lakes in which parking spaces encroach into the public right-of-way. He stated this is an over fifty-five community and there will be people that want to drive their vehicles to this parking lot to pick up their mail because of the mailbox clustering requirements. He stated this provides a safe and convenient location for that activity to occur.

Mr. Marshall stated that the portions of the public sidewalk that are shown as being located on private property would be provided with easements.

Mr. Lucas stated that Tipton Lakes has many crosswalks where the ramps intersect with the streets at the center of the radius. He stated that the Americans with Disabilities Act state that as long as there is adequate turning radius with turning room for a wheel chair, it is acceptable. Mr. Lucas stated they would agree to provide whatever staff requires.

Mr. Marshall stated that one of the items that came out of the technical comments for the plat was the location of the new street off Goeller Boulevard. He stated they had redesigned that location so it meets the standards of the Subdivision Control Ordinance.

Mr. Marshall stated that they would submit new the street names to the Planning Department for approval.

Mr. Marshall stated that they would provide signs in the entrance median blocks. The signs will be similar to others located in Tipton Lakes.

Mr. Marshall stated that they would show the "No Access" symbol in the legend and all crosswalks shall be perpendicular to the streets.

Mr. Marshall stated that he could not find a commitment on the original documents that a separate buffer easement should be provided for landscaping. He stated they would agree that there is drainage and utility easement requirement, but they disagreed with a separate easement for the landscape buffer. He stated that the 30-foot easement that was presented at the Spring Hill Lake Development LLC major subdivision in the past was a non-exclusive easement. Mr. Marshall stated a separate landscape Type A buffer easement has never been required in Tipton Lakes. Mr. Marshall stated that since this is a Special Use rezoning the staff can request this, but the applicant does not agree.

Mr. Fisher asked Mr. Ruble to comment on the request for the alignment of Boulder Court with the proposed drive into Sunset Cove. Mr. Ruble stated that the proposed intersection of the new street at Tipton Lakes Boulevard meets the 200 feet separation distance requirement in the

Thoroughfare Plan. He stated that staff would recommend aligning the intersection with Boulder Court to avoid the safety issue of counter flow traffic on Tipton Lakes Boulevard. He stated the concern is that the driver desiring to turn left into Sunset Cove from northbound Tipton Lakes Boulevard will be tempted to do a partial left turn at Boulder and travel against the flow on Tipton Lakes Boulevard to access Sunset Cove. He stated there would be a temptation for someone to counter flow the other direction and go into the new proposed entrance. He stated this is not the best answer for public safety.

Mr. Lang asked why a cut through across the median could not be provided on Tipton Lakes Boulevard at the intersection of the proposed street. Mr. Ruble stated this would not be impossible and it is City right- of- way now. Mr. Ruble stated that he did not know if Tipton Lakes Development would agree with this. He stated it would ultimately be a call made by the City, but this petitioner was working with Tipton Lakes Development. Mr. Ruble stated that this would require further investigation.

Mr. Fisher asked the petitioner if there had been any discussion on this suggestion. Mr. Marshall stated yes. Mr. Marshall stated if they remove a portion of the median we would have to require a turn lane and the green area along the Boulevard would have to be removed. He stated that there would be approximately 40 units located at Sunset Cove and half of those would be served by this new drive. He stated the impact would be less than the tie through at Boulder Court. He stated there is much traffic at the intersection of Tipton Lakes Boulevard and Goeller Boulevard. Mr. Marshall stated they had presented a copy showing the median cut through option at the intersection of the proposed street to the Plan Commission at this meeting.

Much discussion was held regarding which option would be the best solution for the street connection in regards to public safety and the flow of traffic into the subdivision.

Mr. Bergman stated it was important to remember that Tipton Lakes Boulevard is a Collector Road and Goeller is a Secondary Arterial. He stated that by the road classification there is a greater emphasis placed on moving traffic on Goeller Boulevard.

Mr. Russell asked the petitioner if the proposed street design was what they would like to do.

Mr. Marshall stated these issues have been presented to Tipton Lakes and the proposal that was passed out to the members at the meeting today is something they can pursue.

Mr. Brand asked if this proposal would need to go to the Board of Works for approval. Mr. Bergman stated no.

Mr. Fisher asked about the parking spaces that are shown that extend into the common area. Mr. Ruble stated that they have been resistant to those in the past and they have occurred despite staff's recommendation. He stated the Engineer's Office is not interested in maintaining parking lots for these common areas. Mr. Ruble stated that the burden of maintenance should be placed on the people who reside in that area. He stated they could have parallel parking along the site and the City will maintain those, but it becomes a maintenance issue for the Engineering Department.

Mr. Bonnell asked about the separate easement that was proposed for the "Type A" landscape buffer. Mr. Bergman stated that because these lots along Goeller Boulevard are double frontage lots and the Subdivision Control Ordinance require a landscape buffer so people who own those lots have a certain amount of privacy and for the traveling public it is a consistent appearance.

He stated that the Subdivision Control Ordinance specifies a "Type A" buffer to be provided at that location. He stated the size of this separate landscape easement should be 10 feet at this area. Mr. Bergman stated that there is a conflict between plant materials and underground utilities in common easements. He stated if utilities have to maintain any of the lines they could remove the plant materials and not replace them. Mr. Bergman stated that the intent of the Ordinance that there is a landscape screen at that location and there is a need to provide for the long-term maintenance of the plantings. Mr. Bergman stated that there has been discussion about separating the easements and it has been consistent with the other developments that have been approved recently. Mr. Bergman stated this is an issue that needs to be addressed.

Ms. Tupin-Crites asked why the proposed parking spaces could not be moved further into the common area instead of being located in the right of way. Mr. Lucas stated that the right of way line is twenty-five feet from the centerline and edge of curb at this location is 14 feet from the centerline. He stated that parking spaces are 18-20 feet, so if you start the parking spaces at the right of way line you have a certain distance you have to overcome before you get to the street. Mr. Lucas asked who would maintain the space between the right of way line and the common area.

Mr. Fisher asked about where sidewalks are located at intersections and why. He asked what the ADA requirements are for the City of Columbus. Mr. Bergman stated that there is a lack of language in any documents on how a sidewalk should approach an intersection. He stated by custom in the City of Columbus there has been a variety of designs used and the most recently established custom was for four points of access for the sidewalks that come in at an angle to the street. He stated the safe solution is to have sidewalks cross at a 90-degree angle where you walk perpendicular to the street as you cross it as opposed to entering the intersection in no particular direction. Mr. Bergman stated the last time there was a fifty-five and older community developed the Commission had discussion and required the sidewalks to cross perpendicularly.

Mr. Fisher opened the meeting to the public.

Mr. Nick Deerdorf asked what an easement was.

Mr. Bergman stated it is an agreement for the use of a particular portion of a property for running of utility lines, etc.

Mr. Fisher closed the meeting to the public.

Mr. Marshall stated that they want to keep the parking in the common area where it is located now.

Mr. Bergman stated that staff supports this rezoning and the use at this location is consistent with the other development in Tipton Lakes. He stated it was his opinion that there was an agreement on the easement issue and that they will be separated. He stated that the crosswalk issue seems to have been resolved. He stated that the note on the drawing would clearly state that the maintenance of the common area is the responsibility of the homeowner association. Mr. Bergman stated the parking spaces and the street alignment were the two items left. He stated it was important that the Commission understands those issues and decide whether this rises to the level of requesting the petitioners to modify their plans. Mr. Bergman stated that staff is supportive of what is being proposed as long as the other issues are addressed. Mr. Bergman stated that the motion should address the parking, the intersection, the cross walks and the buffer.

Motion: Mr. Bonnell made a motion to send a favorable recommendation to the City Council for SU-07-22 with the following stipulations as part of the recommendation: (1) The Tipton Lakes Boulevard median shall be redesigned at the intersection with the proposed new street to allow vehicles to turn west into the new development and north onto Tipton Lakes Boulevard, (2) All crosswalks shall intersect the streets at 90 degree angles, (3) A note will be added to the drawing referencing the entity responsible for common area maintenance, and (4) The easement provided for required landscaping along Tipton Lakes Boulevard and Goeller Road shall be separate and distinct from the drainage and utility easement. Ms. Tupin-Crites seconded the motion and it carried with a vote of 10-0.

Mr. Bergman stated that the outstanding technical comments have been addressed. The street Names need to be submitted before the final plat is filed. He stated the easement issue has been addressed and the parking issue has been resolved. He stated the cross width issue has also been addressed. The stated that Engineering and City Utilities remarks should be addressed. Mr. Bergman stated he would recommend approval subject to all outstanding comments being addressed.

Motion: Mr. Lang made a motion to approve PP-07-09 subject to the following conditions: (1) The approval is contingent on the rezoning approval for SU-22 (Cluster Development, (2) A cut through must be provided through the median on Tipton Lakes Boulevard at the intersection of the proposed street, (3) All sidewalks must intersect the streets at a 90 degree angles, (4) All technical comments must be addressed which are as follows: (a) Street names must be submitted to the Planning Department for approval, (b) Provide a sign easement for any subdivision signs or in the case of the blocks show at entrance, (c) Show the "No Access" symbol in the legend, (d) A preliminary drainage Plan has not been received, (e) Show 6" under drain pipe on the typical section for Goeller Road widening, (f) Show, on the plan, Goeller Road curb to be installed with Sunset Cove Development and curb to be installed with Spring Hill Lake Development, and (g) Relocate the force main to the street side of lots 140B-147A and (5) The drainage and utility easement and landscape easements along the double frontage lots will be separated. Mr. Russell seconded the motion and it carried with a vote of 10-0.

DISCUSSION ITEMS

ADJOURNMENT: 5:40 P.M.

David L. Fisher, President

Steven T. Ruble, Secretary